

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF MISSISSIPPI  
NORTHERN DIVISION**

**JEFFERY PAUL MARCUM**

**PLAINTIFF**

**VERSUS**

**CIVIL ACTION NO. 3:22-cv-00677-TSL-RPM**

**LAUDERDALE COUNTY, MISSISSIPPI, et al.**

**DEFENDANTS**

**ORDER DIRECTING SUMMONS TO ISSUE FOR DEFENDANTS**  
**ERICA UNKNOWN AND MERRY JO UNKNOWN**

*Pro se* Plaintiff Jeffery Paul Marcum, an inmate currently incarcerated at the Lauderdale County Detention Center, and proceeding *in forma pauperis* [5], claims that Defendants are liable under 42 U.S.C. § 1983 for maintaining unconstitutional conditions of confinement. *See, e.g.*, Compl. [1]; Resp. [7]. Plaintiff names as Defendants Lauderdale County, Mississippi; Greater Meridian Health Clinic, Inc.; Captain Brian Fortenberry; Nurse Practitioner Erica Unknown; and Head Nurse Merry Jo Unknown. The Court issued Notices of Lawsuit and Requests for Waivers of Service of Process to all Defendants on January 10, 2023 [9], and Lauderdale County, Greater Meridian Health, and Captain Fortenberry timely waived service [11] [13] [14]. Nurses Erica Unknown and Merry Jo Unknown have not waived service.

The Clerk of Court is thus directed to issue summons for Defendants Nurse Practitioner Erica Unknown and Head Nurse Merry Jo Unknown. The United States Marshals Service is directed to serve the summons on these Defendants. And the United States Marshals Service is directed to file the returns with the Clerk of Court, 501 East Court Street, Suite 2.500, Jackson, MS 39201, on or before March 24, 2023.

**ORDERED:**

1. That the United States District Clerk is directed to issue summons to **Defendants Nurse Practitioner Erica Unknown and Head Nurse Merry Jo Unknown, 2001 5th Street,**

**Meridian, MS 39301.** The Clerk is directed to attach a copy of the Complaint [1], Response [7], and a copy of this Order, along with the summons to be served on the named Defendants by the United States Marshals Service. The United States Marshal shall serve these documents under 28 U.S.C. § 1915(d) and shall file the returns with the Clerk of Court, 501 East Court Street, Suite 2.500, Jackson, MS 39201, **on or before March 24, 2023.**

2. That the Defendants shall file an answer or other responsive pleading in this cause in accordance with the Federal Rules of Civil Procedure and the Local Rules of this Court.

3. That as provided for in the Federal Rules of Civil Procedure, discovery is stayed until further order of this Court.

4. That subpoenas shall not be issued except by order of the Court. The United States District Court Clerk shall not issue subpoenas upon request of the *pro se* litigant but shall instead forward the request to the Magistrate Judge assigned to this cause for review. Plaintiff shall submit all requests for the issuance of subpoenas to the Magistrate Judge's office for review.

This Order allowing process to issue against the above-named Defendants does not reflect any opinion of this Court that the claims contained in the Complaint will or will not be determined to be meritorious.

It is Plaintiff's responsibility to prosecute this case. Failure to advise this Court of a change of address or failure to comply with any Order of this Court will be deemed a purposeful delay and contumacious act by Plaintiff and may result in the dismissal of this case.

**SO ORDERED**, this 22nd day of February, 2023.

/s/ Robert P. Myers, Jr.  
ROBERT P. MYERS, JR.  
UNITED STATES MAGISTRATE JUDGE